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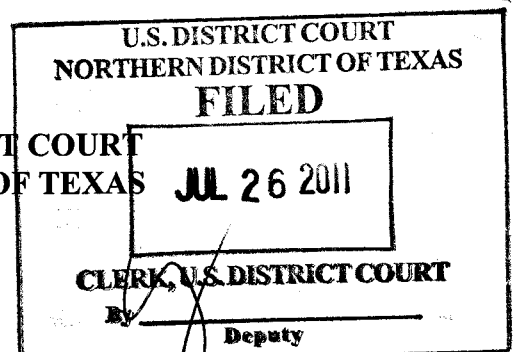
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

VS.

MARCUS GUTIERREZ

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CASE NO.: 3:11-CR-043-K (05)

**REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY**

MARCUS GUTIERREZ, by consent, under authority of United States v. Dees, 125 F.3d 261 (5th Cir. 1997), has appeared before me pursuant to Fed. R. Crim.P. 11, and has entered a plea of guilty Count 1 of the Two Count Indictment filed on March 8, 2011. After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary and that the offense(s) charged is supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the plea of guilty and plea agreement be accepted and that Defendant be adjudged guilty and have sentence imposed accordingly.

Date: July 26, 2011.


IRMA C. RAMIREZ
UNITED STATES MAGISTRATE JUDGE

NOTICE

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. §636(b)(1)(B).